



Michael O. Leavitt
Governor
Kathleen Clarke
Executive Director
Lowell P. Braxton
Division Director

State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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April 7, 1999

VIA FACSIMILE and U. S. MAIL
(801) 237-1950

Denise A. Dragoo, Esq.
Horizon Mining, LLC
SNELL & WILMER, LLP
111 East Broadway, Suite 900
Salt Lake City, Utah 84111

Dear Ms. Dragoo:

This letter is in reply to your letter of March 30, 1999, wherein you requested an extension to the Division's Order of February 25, 1999. Your request for an extension is not granted based on the lack of Horizon's diligent effort to reduce the coal waste pile significantly in the 30-day time frame required under the Order. While the Division also favors a good solution, the Division notes that it has expended considerable time and effort over an 18-month time period with Horizon Mining, LLC attempting to resolve this issue in a low key and amicable manner.

Sincerely,

A handwritten signature in cursive script that reads "Lowell P. Braxton".

Lowell P. Braxton
Director

vb

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